

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 17-20054-CR-MARTINEZ

UNITED STATES OF AMERICA

Plaintiff,

vs.

JOHN HOLLAND,

Defendant.

**ORDER ADOPTING MAGISTRATE'S OMNIBUS REPORT AND
RECOMMENDATIONS ON MOTIONS TO STAY (OR TO EXTEND THE
PRETRIAL MOTION FILING DEADLINE) AND TO CONTINUE
THE TRIAL DATE AND EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

THIS CAUSE came before the Court upon the Order of Reference from the District Court on Defendant's Motion for Stay or, In The Alternative, To Extend The Deadline To File Local Rule 88.9(c) Pretrial Motions [ECF No. 22], and Motion to Designate Case As Complex, Continue The Trial Date, And Exclude Time Under The Speedy Trial Act [ECF No. 27]. An Omnibus Report and Recommendations was filed on March 23, 2017 [ECF No. 37], recommending that the Defendant's Motion for Stay [ECF No. 22] **is denied as moot**, and to **grant** Motion to Designate Case as Complex, Continue the Trial Date, and Exclude Time Under The speedy Trial Act [ECF No. 27] for the reasons stated in the report.

The Court has reviewed the entire file and record and notes the government's written response/objections have been filed. After careful consideration, the Court affirms and adopts the Report and Recommendations. Accordingly, it is hereby:

ORDERED AND ADJUDGED that the Omnibus Report and Recommendations [ECF No. 37] of United States Magistrate Judge Jonathan Goodman, are hereby **AFFIRMED and ADOPTED**.

1. Motion for Stay or, in the Alternative, to Extend the Deadline to File Local Rule 88.9(c) Pretrial Motions [ECF No. 22] is **DENIED as moot**.

2. Motion to Designate Case as Complex, Continue the Trial Date, and Exclude Time Under the Speedy Trial Act [ECF No. 27] is **GRANTED**.

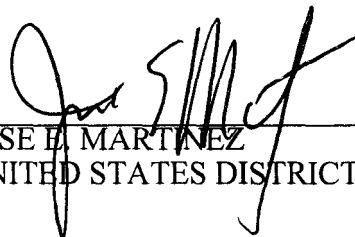
After careful consideration, the Court finds that for the reasons set forth in the Magistrate's Report and Recommendations, and in Counsel's Motion the ends of justice will be served by a continuance of the trial as to the Defendant as set forth below, and that an extension outweighs the interest of the public and the defendant in a speedy trial. Therefore, it is

ORDERED AND ADJUDGED that Defendant's Motion to Continue the Trial Date is **GRANTED**. The previous calendar call and trial date are hereby CANCELLED.

Trial in this cause is set on **Monday, July 10, 2017 at 9:30 a.m.**, at the United States Courthouse, 400 N. Miami Ave, Miami, Florida in Courtroom 10-1. Calendar Call will be held at **1:30 p.m.** on **Thursday, July 6, 2017**, at the same address. All Counsel must be present at the calendar call. Parties shall file their joint proposed jury instructions as well as verdict forms and proposed voir dire questions if any, one week prior to calendar call.

The Court finds that the period of delay from **March 23, 2017 to July 10, 2017**, and any other trial date set hereafter excludable in calculating the period within which trial must commence in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A).

DONE AND ORDERED in Chambers at Miami, Florida, this 28 day of March, 2017.



JOSE H. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copied: Hon. Magistrate Goodman
All Counsel Of Record